

IN THE SUPREME COURT OF ALABAMA
PRO SE
MOTION FOR WRIT OF MANDAMUS
CIRCUIT COURT NO CC-02-2569)
CR NO 02-1677

PETITIONER: JOHN W. MINNIFIELD AIS: 112145
BULLOCK COUNTY CORRECTIONAL FACILITY
P.O. BOX 5107
UNION SPRINGS, ALABAMA 36089

- Exhibit J -

IN THE SUPREME COURT
STATE OF ALABAMA

JOHN W. MINNIFIELD,
PETITIONER,

-VS-

C.R. NO: 02-1677

STATE OF ALABAMA,
RESPONDENT,

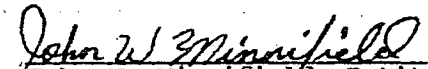
MOTION FOR WRIT OF MANDAMUS
PRO SE

Comes now the Petitioner, John W. Minnifield in and on his own behalf in C.C. No: 00-2569.00 have to be filed this Petition on denial of Due Process by the Montgomery County Circuit Court, attach will be exhibits of the tracking of the Motion filed in a timely manner and the intervention by the Attorney General Honorable Joseph Marston III." not the District Attorney answer nor at the filing of said Motion was to be entertained by sentencing Judge Honorable Sally Greenhaw and or Honorable Daryl Bailey the District Attorney's office did not respond as the Alabama R.C.P. Rule 32.3 and Rule 32.5.

1. Remember this was a Post Conviction Relief Petition still in the hands of the jurisdiction of the District Attorney's Office not Attorney General Office.
2. I was convicted the 2nd day of Feb/2000., there was a Direct Appeal to the Criminal Court of Appeals by Appellant Counsel Esquire Joseph BURKHART which was Affirmed on or about the _____ day of _____ 2000
3. The Writ of Habeas Corpus was filed on the 25th day of September/2000. See: attach transmission of the writ App. 2 years the Circuit Court dismissed the Petition without prejudice whereas the Court erred in dismissing the Petition styled as a Writ of Habeas Corpus that was still active for 2 years as in Davis v. State, 784 So. 2d 1082

Alabama Criminal App. 2000 and or Long v. State, 673 So. 2d 856 Court dismissed without prejudice without letting the Petitioner know of the denial 2 months later the Petitioner filed a Motion for a Status Hearing on the Petition the Clerk then advised with attach copies of the Court Transmission not in time for an Appeal in conjunction, Mandamus was filed with the Criminal Court of Appeals over a month. The Petitioner written the Clerk inquiring of the Petition, thus the Petitioner was then notified of the Mandamus which was dismissed not denied or granted See: copy without probable cause and or Due Process or the reason for dismissing the Writ whereas the Attorney General and or Circuit Court Charles Price was without jurisdiction to intervene but sentencing Judge and District Attorney should have had jurisdiction to hear the case. This Writ ask this Court to grant the Mandamus and reverse the Court of Criminal Appeals decision and order the Trial Court to grant the Petition or Motion to Amend or treat as a Rule 32 on each issue that could be cognizable in a Rule 32 and or treated on the Merits whereas as actual the Petitioner Due Process is being violated.

Respectfully Submitted,


John W. Minnifield, Petitioner
Bullock Corr. Facility
P.O. BOX 5107
Union Springs, Al. 36089

Done this the 20th day of July, 2003.